



PATENT
Customer No. 22,852
Attorney Docket No. 08048.0026-00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Jean-Louis H. GUERET) Group Art Unit: 3732
Application No.: 10/084,975) Examiner: Robyn Doan
Filed: March 1, 2002)
For: BRUSH FOR APPLYING)
PRODUCT TO KERATINOUS)
FIBERS)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE TO ELECTION OF SPECIES REQUIREMENT

In an Office Action dated March 23, 2004, the Examiner required an election of
under 35 U.S.C. § 121 of one of the following allegedly patentably distinct species:

Species I: Fig. 1;
Species II: Fig. 2;
Species III: Fig. 3;
Species IV: Fig. 4;
Species V: Fig. 5;
Species VI: Fig. 6;
Species VII: Fig. 7;
Species VIII: Fig. 8;
Species IX: Fig. 9;
Species X: Fig. 11;
Species XI: Fig. 13;
Species XII: Fig. 15;
Species XIII: Fig. 17;
Species XIV: Fig. 18;
Species XV: Fig. 19; and
Species XVI: Fig. 20.

Additionally, the Examiner required a listing of the claims which "read" on the elected species.

Applicant does not necessarily agree with the Examiner's assertions regarding the allegedly patentably distinct species. Nonetheless, to expedite prosecution of this application, Applicant elects Species VIII, corresponding to Fig. 8. At least claims 1-12, 14-16, 20-27, 33-51, 55, 61, and 62 "read" on the elected species.

Applicant understands that upon allowance of any of the independent claims, any nonelected claims which depend from those independent claims or otherwise contain all of the limitations of those independent claims will be rejoined and also allowed.

Please grant any extensions of time required to enter this response and charge any required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: April 22, 2004

By: Susanne T. Jones
Susanne T. Jones
Reg. No. 44,472